MAHATHIR MOHAMAD AS A CULTURAL RELATIVIST: MAHATHIRISM ON HUMAN RIGHTS

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Abstract

This paper is about Mahathirism, or Mohamad Mahathir's views on human rights. It supports the argument that Mahathirism is in fact a type of cultural relativism, as opposed to universalism or Western liberalism, specifically in the Malaysian context. The main idea of Mahathirism comes from Mahathir's concept of 'Asian values'. His argument about Asian values can be split into the philosophies on anti-Western imperialism, strong government, communitarianism, and social and economic rights. Mahathir rejects universalism or the Western liberal notion of human rights, which, he believes, can corrupt Malaysian culture and religious beliefs. Mahathir claims that Western pressure on developing countries, including Malaysia, over human rights and democratisation is intended to cause instability, economic decline and poverty. With such a situation, the West can threaten and control Malaysia. However, critics dispute Mahathir's purported intention in restricting human rights, arguing that his real intention was to exploit these issues as a justification for curtailing opposition and reinforcing his position in power, as well as to hide human rights violations in Malaysia.

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INTRODUCTION

Mahathirism is a symbol of Malaysian leadership during the era of Prime Minister Mahathir Mohamad. He ruled the country for two decades, from 1981-2003. In brief, Mahathir's argument about human rights is that Malaysia's multicultural, multiracial, multireligious and multilingual society made it inappropriate for open debate about human rights. As Mahathir said in the "Far Eastern Economic Review" of 28 October

1996: "The threat is from inside…So we have to be armed, so to speak. Not with guns, but with the necessary laws to make sure the country remains stable". (Mendes, 1994: 3) He implied that racial conflict and political instability are inevitable in a multiracial society unless protected by laws like the Internal Security Act (ISA) and the Sedition Act (SA). Racial conflict is like a time bomb and the misuse of human rights such as freedom of speech and assembly for political ends and to exploit racial sentiments could spark racial conflict. Based on this analysis of Malaysian circumstances, Mahathir amended some laws to strengthen government control over human rights.

Daniel Bell (2001: 1-18) argues that the decision Mahathir took in controlling human rights was probably got to do with rights that Malaysians prioritise in contrast with traditional Western arguments for universalism or liberal individualism. It is clear in Mahathir's view on Asian values, which he advocated, that the prioritising of rights is needed when rights conflict and it must be decided which one to sacrifice. In other words, different societies may rank rights differently, and even if they face a similar set of disagreeable circumstances they may come to different conclusions about the right that needs to be curtailed. For example, United States (US) citizens may be more willing to sacrifice a social or economic right in cases of conflict with a civil or political right: if neither the constitution nor a majority of democratically elected representatives support universal access to health care, then the right to health care regardless of income can be curtailed. On the contrary, Malaysians particularly the Malays and Chinese may be more willing to sacrifice a civil or political liberty in cases of conflict with a social or economic right: there may be wide support for restrictions on the internal movement of farmers if these are necessary to guarantee the right of subsistence. Different priorities assigned to

rights can also matter when it must be decided how to spend scarce resources. For example, Asian societies with Islamic and Confucian heritages will place great emphasis on the value of education, and this may help to explain the large amount of spending on education compared to other societies with similar levels of economic development.

Mahathir has also criticised a lot on the Westerners approach in dealing with human rights in non-Western countries. Mahathir has jumped into the debate about universalism versus cultural relativism when he challenged what he called as Western liberal (universalist) values. For this reason, some writers accuse Mahathir as a cultural relativist. In order to understand Mahathir's view on human rights and whether he is a cultural relativist, this article will explore the debate of universalism and cultural relativism and analyse Mahathir's arguments about Asian values, Western imperialism, strong government, community and social and economic rights.

UNIVERSALISM VERSUS CULTURAL RELATIVISM DEBATES

Universalism, embodied in international human rights law, rests on the proposition that the human condition is unique, and that all human beings possess certain inalienable rights (Kim, 1993). The international community claims the right to judge states by international standards (Mayer, 1994). The international community thus attempts to hold governments to the human rights standards enumerated in the International Bill of Rights.

Theorists explain the concept of universal human rights by referring to the meanings of the term "universal" and by examining the history behind universalist theory. Human rights theorist Jack Donnelly (1989) views human rights as "universal" in three meanings of the word. First, all human beings hold human rights universally by virtue of their humanity. Therefore, a person's rights cannot be conditioned on attributes such as gender or national origin. Second, human rights exist universally among all persons and institutions as the highest moral rights. An individual's rights cannot be subordinated to another person's, such as a husband, or to an institution, such as the state. Thus, a husband or a religious leader cannot take a woman's rights from her because her rights as an individual are superior to any rights a third party may claim. Third, human rights are becoming more universally accepted as ideal standards by the international community. International agreements and conferences facilitated by the United Nations show more widespread recognition of human rights over time. This growing acceptance means that universalism is not just a fleeting idea soon to be extinguished. In general, Donnelly interprets "universal" to mean that no institution or person anywhere may take away another person's human rights. Enforcing those rights, however, is another matter. Therefore, in summarising these three meanings, Donnelly argues that the idea of universalism is "Human rights, because they rest on nothing more than being human, are universal, equal, and inalienable. They are held by all human beings, universally...Human rights, being held by every person against the state and society, provide a framework for political organisation and a standard of political legitimacy." (Donnelly, 2001: 1).

In addition to looking at the meaning of "universalism", it is useful to examine the theory's foundations to better understand the rationale of international standards. Universalists offer two very different bases for their doctrine. On the one hand, they look to natural law which uses nature, God, and reason to identify certain basic rights that exist everywhere and apply to all human beings (Kim, 1993). Under this formulation rights exist without any further action. Therefore, rights are inherent and do not need to be granted separately by the international community or national legal systems. From this tradition of natural law, liberalism was borne in the defence of individual liberty against state intrusion. Positivism, on the other hand, sets forth the principle that states, in choosing to become states, agree to be bound by the set of rules that international law embodies. The premise of positivism is that a state sovereign cannot be bound against its will. The one exception to the inability to bind states against their will is customary international law. While these two bases differ, each establishes that certain rights are immutable by any state, institution, or individual. While the theoretical foundation is important to explain the basis of universalism, in reality, theory means very little without the protections of the rights claimed.

In addition to the different roots of universalism, it comes in several forms. Universalists believe that, in different countries for example, varying doses of relativist influence dilute universalism. Radical universalism ignores the value of self-determination for ethnic and religious minorities and rejects the argument that peoples should be able to live according to their own customs and traditions (Donnelly, 1989). Because universalist ideals are not part of all cultures, opponents argue that subjecting all groups to one set of standards would constitute oppression by Western culture.

Opponents of radical universalism point to the fact that non-Western nations did not participate in drafting the International Bill of Rights as evidence that non-Western nations are being persecuted under the pretext of human rights for the benefit of the imperialist West (Mayer, 1994). Furthermore, adversaries argue that universalism ignores cultural diversity and lessens a person's choice of government, social institutions, and ethical norms. In fact, critics also argue that universalism is a label made by liberals to impose and spread their idea and belief of liberalism throughout the world.

Cultural relativism in definition "is the assertion that human values, far from being universal, vary a great deal according to different cultural perspectives. Some would apply this relativism to the promotion, protection, interpretation and application of human rights which could be interpreted differently within different cultural, ethnic and religious traditions. In other words, according to this view, human rights are culturally relative rather than universal" (Ayton-Shenker, 1995: 1). Proponents of cultural relativism, such as Richard Rorty (1993), Donald Dworkin (1977), Ernesto Laclau (1990), and Steven Lukes (1991), typically point to "the historically contingent and culturally bounded nature of human rights discourses and practices", and therefore to their "socially constructed nature" (Freeman, 1994). According to them, human rights are inseparable from the mentality of the Enlightenment, and as presently construed are the product of a particular society at a particular time, for instance, Europe in the aftermath of World War II (and the Cold War). Adamantia Pollis and Peter Schwab (1980) criticise what they see as a cultural and ideological ethnocentrism in the area of human rights and human dignity. In their view, the Universal Declaration of Human Rights (1948) is "universal" only in pretension, not in practice, since it is the charter of an idealist

European political philosophy with underlying democratic and libertarian values, based on the notion of atomised individuals possessed of certain inalienable rights in nature. Because of the pervasiveness of the notion of "group" or "community" rather than that of the "individual" in many cultures, they conclude that the Western conception of human rights is not only inapplicable and of limited validity, but even meaningless to Third World countries (Chokr, 1999). From a different perspective, various Third World scholars have questioned the Western supremacy in the area of human rights, and argued on behalf of their respective cultural traditions, whether they be traditional African, Islamic, or Asian cultures (Yamane, 1982, Wiseberg, 1976, Bielefeldt, 1995, Hountondji, 1988, Panikkar, 1982, Legesse, 1980).

In response to universalists, cultural relativists also argue that outsiders should not judge others' moral rules and social institutions (Donnelly, 1989). They argue that condemnation of one culture by members of another society is inherently invalid because there are no legitimate cross-cultural standards (Mayer, 1994). Governments pressed by universalists to conform to universalist notions of human rights have responded that their culture and religion are just as valid as universalist standards. Anthropology provides the basis for cultural relativism (Kim, 1993). At its foundation are the dual premises that the observer's knowledge of a culture is limited by the observer's own cultural upbringing, and that all cultures are "equally valid". Cultural relativism recognises the value of different community practices and stresses tolerance of conventions different from one's own (Herskovits, 1990). This means that one state cannot judge another state's practices by the first state's norms because all traditions are equally valid.

Reaction to the cultural relativists' views, Donnelly (1982, 1989) argues that their views are based on a confusion of human rights and human dignity, and between rights and duties. According to Donnelly (1982), most non-Western cultural and political traditions lack not only the practice of human rights but the very concept. He substantiates his point by an analysis of the political culture about human rights in Islam, traditional Africa, Confucian China, Hindu India, and the Soviet Union. His conclusion is that the differences between Western and non-Western approaches to human dignity certainly are large. But he views the incorporation of Third World views, such as the valuing of "the group" or "the community" over that of the "individual", as "a great risk" to the essential character of human rights, which come dangerously close to destroying or denying human rights as they have been understood. He summarises his argument as follows:

> We must recognise the validity of claims of traditional values and institutions, as well as the rights of modern nations and states to choose their own destiny. At the same time, though, we feel a need to keep these choices restrained within acceptable bounds and reject an anything-goes attitude. (Donnelly, 1982: 313).

Many more examples of such views can easily be found, but these should suffice to suggest that the debate about the universality or relativity of human rights is not only highly antagonistic, but it also takes place at an extremely abstract level.

Nader N. Chokr (1999: 16) argues that whether the issue is ascertaining the existence of human rights in Africa or Asia for example, or showing these rights' ethnocentric origin in Western thought, the arguments presented by the various protagonists offer us more insights into them (and their respective "ideologies") than

about the so-called "other cultures" in which human rights are supposed to apply. For example, what do they mean by "traditional (African or Asian) societies"? There is as much diversity in Africa or Asia as anywhere else, if not even more. Who belongs to the category of "Third World countries" for which Western human rights are meaningless? And finally, who is the "we" authorised (by whom?) to "keep choices restrained" and reject a so-called "anything-goes-attitude"? In the end, is not this a clear expression of the much maligned Western hegemony discretely raising its head and slipping in, yet again? Why would it be "a great risk" to the idea of human rights as we know it to incorporate considerations of "group" or "community rights", unless one holds the Eurocentric conception (based on individualism) to be the only valid one in our current historical situation? In fact, in many instances during the post-Cold War, human rights have become more than instrumental mechanisms to protect individuals' rights and are nowadays expressive of tensions and conflicts around ethnic, indigenous, nationalist, and religious identities.

Critics argue that cultural relativism allows countries to violate international human rights standards by using culture to justify their departure from universalist norms (Mayer, 1994). Radical relativist theory does not automatically grant an individual rights which are equal to the rights of all other individuals, but acknowledges the validity of cultural differences between groups (Donnelly, 1989). This has been used to justify practices, such as the caste system and slavery, that virtually all modern societies reject. The most disturbing use, or rather abuse, of cultural relativism is that it is often a central plank in those governments who actively oppose the application of international human rights standards in their countries. The presumed "tolerance" and "pluralism" of cultural

relativism seems to underwrite a conservative political agenda: the tolerance and perhaps even maintenance of highly inegalitarian and repressive political systems, while ironically we devote our energies to the "sentimental education" of the ruthless and machiavelic dictators (e.g., Saddam Hussein, Milosevics, Idi Amin, Mobutu, Pol Pot, Bokassa, Pinochet, etc) and the predominantly illiterate and subjugated masses of this world. One thing is undeniable, and that is, far too many governments around the world (East/West, North/South) carry out daily violations of human rights, from failing to uphold and protect basic civil, legal, and political rights to the most abominable and unspeakable acts of violence, torture, and repression against their own people. And cultural relativism is often "one of the most useful ideology" in mounting a defence and bringing about international acquiescence in state violations and repressions (Wilson, 1997: 9). However, the problem of this argument is that none of these so-called dictators were ever used cultural relativism as a justification for their repressive acts toward their people. Therefore, this argument is lack in perspective and it is wrong to associating any repressive acts or human rights violations by leaders or dictators from Third World countries with cultural relativism without analysing thoroughly the root cause of the acts or violations.

Finally, as pointed out earlier, cultural relativists do not seem to uphold an adequate set of principles for underwriting moral pluralism, since they, like universalists, hold on to an outmoded and misguided conception of "culture" (Dworkin, 1977). Such a view is based ultimately upon bounded and closed conceptions of linguistic and cultural systems, but it is severely put in crisis as soon we consider the emerging, inter-penetrating, intermixed, and overlapping cultural, economic and political contexts

worldwide. The relativists' efforts to undermine the concept and application of human rights by reference to "culture" ignore the global, transnational and transcultural, phenomena sweeping the world – just as previous intellectuals in their time committed an unforgivable blunder by denying or ignoring the global reality of colonialism or neo-colonialism (Chokr, 1999).

MAHATHIRISM AND ASIAN VALUES: "THE MAHATHIR MODEL"

The idea of Mahathirism exists through the uniqueness of Mahathir's leadership, philosophy and state management in order for Malaysia to achieve its vision as developed country in year 2020. According to R.S. Milne and Diane K. Mauzy (1999: 168), "Mahathirism is not a guide to Mahathir's thoughts or actions. Rather, Mahathir's thoughts and actions are a guide to constructing Mahathirism. Mahathirism is an exercise in allocating thoughts into logical categories with the aim of achieving intellectual satisfaction and understanding". Furthermore, Fawzi Basri (1996: 1) argues that Mahathirism can be put into three contexts:

i) Public policies created by Mahathir for the government to implement new agendas in building a progress and stable country;

ii) Mahathir's political strategies throughout his leadership in the government and party.

iii) Style of leadership in managing the party and government.

On the other hand, Khoo Boo Teik (1995: 351) argues that the coherence of Mahathir's views lies really in the sum total of its paradoxes, ambiguities and inconsistencies. Mahathir in fact has constructed so many ideas with regards to nationalism, capitalism,

Islam, and democracy, but these ideas are not well-developed and Mahathirism is merely a coherent ideology for Malaysia. Therefore, Mahathirism can be referred to all Mahathir's views about politics, economy, social, and foreign policy including human rights in guiding Malaysia to become a prosper and well-developed country. In understanding of Mahathirism from the perspective of human rights, Mahathir's view on "Asian values" should be closely explored.

As an advocate of "Asian values", Mahathir explained that the Malaysian perspective of "Asian values" is based on Malay-Islamic culture and should be protected against absorption by Western values. He urged the three most basic elements of "Malayness" – feudalism, Islam, and *adat* (traditional customs) as he saw it in 1970 in his book, *The Malay Dilemma*, should all be classed as features to be merely accepted as realities and perhaps adapted to modern needs (Barr, 2002: 42). Mahathir (Mahathir and Ishihara, 1995: 71-86) rejected universalism or the Western liberal notion of human rights which, he believed, can corrupt Malaysian culture and religious beliefs. Concerned about the influence of Western individualism, and the future of Asian values and traditions, Mahathir launched the "Look East" policy in 1982 as a broader campaign against "Western values". Mahathir told the 1982 United Malays National Organisations (UMNO) General Assembly to "Look East" to emulate the diligence found there and "to rid ourselves of the Western values that we have absorbed" (Khoo, 1995: 69).

Errol P. Mendes (1994: 3) labels the Malaysian version of Asian values as "The Mahathir Model" to differentiate it from other types of Asian values such as Singaporean School that stresses on Confucianism and China Model that emphasises the combination

of Chinese-Nationalist-Communist values. "The Mahathir Model" is basically influenced by Malay-Islamic values. As Alan Dupont points out, Mahathir had the clarion call for Asian values:

> ...despite the fact that the Islamic ethos of his country differs markedly from the neo-Confucianism of Singapore and other Sino-centred states in East Asia. However, he (Mahathir) reconciles this apparent contradiction by subsuming Malaysia's distinctive national character in broader obeisance to Asian Values. (Dupont, 1996: 14)

This model of Asian values has also helped to support the government. Stability and enforced social cohesion in a heterogenous society has become internalised as a fundamental core Asian values (Mendes, 1994). Asian leaders, such as Mahathir and Lee Kuan Yew of Singapore, also introduced the concept of Asian values in response to the global democratisation, booming economy and political stability of the 1990s, before the currency crisis of July 1997 had shocked Asian countries (Naisbitt, 1997: 51-85, Inoguchi and Newman, 1997: 1-2). The main elements of "The Mahathir Model" are strong authority, prioritising the community over the individual, and a strong family based society. The distinctive feature of "the Mahathir Model" is that it draws upon the experience of the Western world in order to evaluate state and society in the light of modernity. It main critique both of a universalist-liberal democratic model of politics and individual rights as reflecting Western hegemony is based upon empirical and cultural grounds. Mahathirism or "the Mahathir Model" is clearly a reaction to the debate between two main theories of human rights, universalism and cultural relativism.

In sum, Mahathirism has at least three criticisms of human rights (Verma, 2002: 177). First, human rights claim to provide a foundation for moral and political thinking

for people having different political and cultural identities. But by asserting there are human rights, to which all people everywhere accede, it is assumed that some social practices and customs are universal, irrespective of their acceptance by specific cultures and nations. Second, human rights presuppose an ideology of possessive individualism. By focusing on the individual as the autonomous possessor of his own person and capacity, human rights ignore the value placed on the individual vis-à-vis the social unit of which he is a part; neither for that matter is there any attention paid to "the inner freedom of the person *qua* person in terms which might make appeal to the larger *telos* of human nature, or to the harmonious order of the universe, and so on" (Bilimoria 1993: 35). Third, religious faith in public policy is consistent with the promotion of human rights. This claim, along with the modern concept of the secular nation-state, represents the historical development of the powerful medieval European state. Western societies have secularised while granting almost unlimited individual freedom in public life. In the context of Malaysia it has been argued that the fusion of religious and political authority in public life would help avoid the moral decadence of the West and contribute to tolerance of different religions.

ANTI-WESTERN IMPERIALISM

The decision by the US government under George W. Bush administration and United Kingdom (UK) under Prime Minister Tony Blair to invade Iraq in 2003 has clearly shown that the Americans and Britons were willing and determining to use force in invading a sovereign country and changing its government, by removing Saddam Hussein, from power supposedly in the name of freedom and democracy. Many

especially in Asian countries believe that, despite wanting to exploit the natural wealth of the country, this invasion also showed that the West has begun the renewed imperialism policy to impose its value to the non-Western world. Because of that event and colonialisation experiences by most Asian states, many Asian leaders such as Mahathir accepted the argument of cultural relativism as the way to counter the Western imperialism. According to R.J. Vincent (1986: 38), the argument provided by cultural relativism against imperialism appeals not merely because it is an argument against imperialism, but because it seems true. In Asia, there is a widespread suspicion that the West has a hidden agenda to maintain its hegemony by slowing down Asian prosperity and crippling its competitiveness by "changing the rules" to invoke a new kind of protectionism, with human rights and democracy as the standard-bearers, succeeding the old banners of colonialism and Christianity (Far Eastern Economic Review, 1994a: 20-21).[1] In fact, such documents as the Universal Declaration of Human Rights passed by the United Nations in 1948, are futile proclamations, derived from the moral principles valid in one culture and thrown out into the moral void between cultures. They might have some validity if the proclaiming culture was successfully imperialist, and had imposed its values on others by *force majeure*, but the doctrine of cultural relativism at its strongest regards this always as a superficial phenomenon, incapable of eroding the irreducible core of cultural singularity in the various social components of the world (Vincent, 1986: 38).

The assertion of "Asian values" is a response to the determined promotion by the Western foreign policy, especially the US and UK, that it has the best system of government and it is possible to democratise governments, anytime, anywhere and under

any circumstances (Vincent, 1986: 2, Kirkpatrick, 1982: 11). The "New York Times" (1996) commented that America has always thought of itself as morally obliged to export its way of life. What the "White Man's Burden" was to Kipling's generation (of Britons), the promotion of democracy has been to four generations of Americans. A quote from Anwar Ibrahim captures the mood: "...to allow ourselves to be lectured and hectored on freedom and human rights after 100 years of struggle to regain our liberty and human dignity, by those who participated in our subjugation, is to willingly suffer impudence" (Far Eastern Economic Review, 1994b: 20). Hence, the Association of Southeast Asian Nations (ASEAN) states resent the West's belittling of "Asian values", and they assert that they are resisting what they perceive to be "Western bullying" (Jakarta Post, 1993).

In an agreement with cultural relativists' view, Mahathir claimed that Western pressure on developing countries, including Malaysia, over human rights and democratisation is intended to cause "instability, economic decline and poverty. With such a situation, they can threaten and control us" (Christie, 1995: 206). Westerners, argued Mahathir, generally cannot rid themselves of this sense of superiority. He explained that:

> They still consider their values and political and economic systems better than any others. It would not be so bad if it stopped at that; it seems, however, that they will not be satisfied until they have forced other countries to adopt their ways as well. Everyone must be democratic, but only according to the Western concept of democracy; no one can violate human rights, again according to their self-righteous interpretation of human rights. Westerners cannot seem to understand diversity, or that even in their own civilization values differed over time. (Mahathir and Ishihara, 1995:75)

Mahathir further argued that the West has a long history of human rights violations and has hardly been a paragon of democracy and justice. The groundless sense of superiority prevents the West from seeing the rationality in Eastern values.

Mahathir also made an accusation that the Western sense of superiority reflects the racial prejudice that underlies white society. Mahathir pointed out that:

> ...Westerners, particularly Americans, deny it vehemently, but this reaction itself proves that the attitude persists. Of course, though comparatively less, there is racial prejudice and discrimination in Asia, too, but it has never taken the form of racism based on the color of a person's skin...The notion that a country must Westernize in order to industrialize is ludicrous...For Westerners to think we cannot make progress unless we become like them is absurd. (Mahathir and Ishihara, 1995:76-77)

In fact, Mahathir urged the West to learn from the success of East Asian and to some extent "Easternize".

Likewise, the Western media are sometimes portrayed as accomplices in serving dominant Western power interests and values (Laiq, 1996). Mahathir explained that:

> Free speech is one of the freedoms much touted by the exponents of the so-called Western democracy. Woe betide those countries which do not respect free speech and freedom of the press...The proponents of freedom of speech and the press apparently believe that those freedoms are to be confined to condemning the Third World's own governments only. The world press is controlled by the powerful and has become their instruments to undermine the very freedoms they preach. (World Youth Foundation, 1999: 53)

Moreover, Mahathir expressed the same view with stronger stress on foreign imperialist agendas through media:

> Make no mistake. The people who control the media control our minds, and probably control the world...Not the national Governments of tiny developing nations...or the Government of powerful nations. A very few people in the West control all the international media. (Mahathir, 1999: 71)

The Mahathir's government exploited these reasons to legitimise its control over the local media. The government also exercised its power to strengthen the media laws, particularly the Printing Presses and Publications Act, and to control the local media companies as well as foreign publications. The government, however, is unable to control the flow of information from the Internet.

Besides the media, Mahathir was also critical toward the role played by the civil society movements especially human rights non-governmental organisations (NGOs) and accused them as agents of Western powers. The Mahathir government was of the view that human rights activists, often encouraged by foreign countries and organisations, are a hindrance to the country's economic development and jeopardise its stability (Milne and Mauzy, 1999: 105). Mahathir (1982: 127) argued that the activities of movements in civil society that tend to meddle in politics should be curbed as they clearly aim to weaken government authority and do not contribute to the public good. The government was of the opinion that human rights NGOs should be closely monitored as they have the ability to influence public opinion, endanger public order and even obstruct well-planned, national development.[2]

It should also be borne in mind that Mahathir's Asian values provided a very effective response to critics (Oehlers, 2000: 216). At domestic level, by arguing his

strategies were sanctioned by Asian values, Mahathir was able to establish some respectability and legitimacy to counter the accusations of detractors. These critics, indeed, could no be portrayed as "un Asian", contaminated by alien Western ideas, and agents of Western imperialism. Further, by posing his actions as a product of a unique Asian culture, Mahathir successfully established a case in the international arena to justify his pursuit of state-led development. Mounting Western criticism of practices in Malaysia could now be safely deflected, and indeed, dismissed as the "rude", "insensitive" and "misinformed" interjections of another race lacking any understanding of Asian values, practices, or aspirations. For instance, the "diplomatic incident" caused by the remarks made by Australian Prime Minister, Paul Keating, in November 1993 when he described Mahathir as "recalcitrant" for the latter's refusal to attend Asia-Pacific Economic Cooperation (APEC) summit in the US. It was made clear on the Malaysian side that Keating's remarks were evidence of the lack of manners and respect in Australian culture – an obvious contrast to the Asian culture. With Mahathir remaining aloof to the remarks, the general impression created by the Malaysian government was that the "Malaysian people" had been offended by the remarks rather than Mahathir personally. Negative and exaggerated external criticism can easily be depicted as an insult to the cultural values of the people. In this case, Keating provided some very convenient material that enabled the Malaysian government to exercise its political chauvinism effectively, targeting both the domestic and external audiences (Lawson, 1996: 122).

STRONG GOVERNMENT

In Western culture, the concept of limit government is a common practice where the government interventions in personal liberties and the economy are limited by law, usually in a constitution. This concept is closely linked with libertarianism and classical liberalism in the West. It has roots in Hebraic Law and Magna Carta and the US Constitution are examples of limiting of government powers in Western Civilisation. Mahathir, however, argued that people in Asian countries believe in the idea of strong government, not limited government or state minimalism. Mahathir (1999: 77-78) mentioned that Malaysians (Asians) should respect authority because authority guarantees social stability: without authority and stability there can be no civility, even a Western society lauding individual rights, will fragment and become more disordered. However, Mahathir argued that strong authority does not of course mean despotic rulers. In fact, Mahathir admitted that he still believes in democracy, because democracy enables the removal of a leader without bloodshed. Nonetheless, he argued that even within the most democratic system, citizens must pay due respect to government and understand the need for healthy balance between individual rights and obligations towards society.

Mahathir defended his record of leadership on the eve of his final parliamentary appearance in October 2003 in regard to democracy and reiterated his position that too much freedom could lead to anarchy and the destruction of Malaysia's multiracial society.[3] Measures such as detention without trial of terrorist suspects and the banning of the Communist party from participating in the elections are essential to maintain democracy and harmony. Whilst believing in democracy and human rights, the government had to ensure that racial sentiment in the country would not be inflamed. He further added:

> If an individual or a small group tried to incite a (race) riot they are actually rejecting democracy and the right of majority...That is why actions that seem undemocratic towards the individual or the minority need to be taken to protect real democracy...Anarchy can take place because of an obsession with democratic. (SUARAM, 2004: 21)

Therefore, a stable and strong government should be different from the democratic government in the West. Mahathir later argued that:

> In the West democracy means different things to different people, but in Asia it means that citizens are entitled to free and fair election, that they can choose their own government. Once a government has been elected, we believe it should be allowed to govern and to formulate and implement policies. As even a cursory glance at East Asia reveals, we believe that strong, stable governments prepared to make decisions which, though often unpopular, are nevertheless in the best interests of the nation, are a prerequisite for economic development. They take the long-term view in planning and are not preoccupied with surviving the next election. When citizens understand that their right to choose also involves limits and responsibilities, democracy doesn't deteriorate into an excess of freedom or, in extreme cases, virtual anarchy. These are the dangers of democracy gone wrong, and in our view it is precisely the sad direction in which the West is heading. (Mahathir and Ishihara, 1995: 82-83)

However, Mahathir has taken a step further by encouraging feudalistic loyalty among people to his leadership. For instance, after warding off a challenge to his leadership of the UMNO at its general assembly in 1996, Mahathir reminded his audience that "according to Malay tradition...it is impolite for someone who sits in the same committee or cabinet to challenge another who also happens to be his boss" (Case, 2002: 19). The UMNO's permanent chair had earlier made the same point, advising that while leadership challenges were formally permitted in the party's constitution, actually to mount one flouted cultural understandings; "According to Malay tradition, it is treachery"

(Case, 2002: 19). This, however, clearly shows how the political elite has exploited Malay culture and Asian values in order to justify their autocratic leadership.

PROTECTING COMMUNITY

Malaysians typically believe that the community should take priority over individuals. The importance of the community in Asian culture and society is incompatible with the primacy of the individual in Western society, which is the basis of Western notions of human rights. Modern Asian orientalism was based around the proposition that "Asian" culture, with its priority on the group rather than the individual, was ideally suited to modern, industrial society. Universalism or Western liberalism, with their emphasis on the rights and freedoms of the individual is, in contrast, portrayed by Asian thinkers as producing crime-ridden societies in moral decay and with little social discipline or concern for the broader interests of community (Robison, 1996: 310). In Mahathir's (1995b: 16) words, "Democracies are only beginning to learn that too much freedom is dangerous". Mahathir urged the need to limit personal freedom for the sake of political stability and economic prosperity:

> For Asians, the community, the majority comes first. The individual and minority must have their rights but not at the unreasonable expense of the majority. The individuals and the majority must confrom to the mores of society. A little deviation may be allowed but unrestrained exhibition of personal freedom which disturbs the peace or threatens to undermine society is not what Asians expect from democracy. (World Youth Foundation, 1999: 105)

Mahathir (1995b) defended Malaysia's record on the issues related to democratic practices – individual freedom, civil liberties and human rights – not by recourse to the

subtleties of political philosophy, but by a "pragmatic" splicing of two commonsensical strands of arguments: a rejection of "absolute personal freedom" and an affirmation of the obligations of elected government. Freedom, liberties and rights, in Mahathir's view, can only be exercised or enjoyed if restrained by a sense of personal responsibility, an individual deference to communal considerations, and a respect for stability, law and order. Curbs on individual freedom and liberties are "checks and balances...maintained as between individual rights and public good" with "the government of the moment determining what constitutes public good" (Mahathir, 1995b: 47). Thus, "while a citizen is free...the society must have the right to object to individuals who offend the sensitivities of the society" (Mahathir, 1995b: 92). For instance, freedom of speech and assembly are respected, but they should not extend to racial provocation, incitements to violence, the use of the industrial strike "as a political weapon, quite unconnected with the rights and welfare of workers in order to gain power" (Mahathir, 1995b: 61), or moves "especially by foreigners and non-governmental organisations" to "agitate and threaten the government with censure" (Mahathir, 1995b: 93, Khoo, 2002: 51-73).

Furthermore, communitarianism – the idea that responsibilities to the family and the community have priority over the rights of the individual – is widely embraced not just in Confucian East Asia and Singapore, but also in Islamic Indonesia, Brunei, and Malaysia and Buddhist Thailand (Chandra, 1995, Fukuyama, 1995: 20-33). Joseph Chan (1995: 30 & 35) has suggested that, while Asian cultures do not deny the value of personal autonomy, they do not value it as highly as do universalists or Western liberals. The value of individual autonomy, however, does not justify the right of individuals to disregard the interests of society (Fareed, 1994: 111). The Asian concept of the individual

differs from that of the West. The extension of the relationships learned in the extended family setting gives East Asians a much more sophisticated ability to relate to others. Mahathir (1995a: 1-2) held that there should be no freedom without responsibility. Hence, it should come as no surprise to learn that close to the heart of Mahathir's hostility to "Western values" is his concern for family, which he believes provides stability and security for the individual.[4]

SOCIAL AND ECONOMIC RIGHTS

Most Asian countries value social and economic rights more highly than civil and political rights. Implicit here is the fact that most Asian countries, including Malaysia, are developing countries where basic and economic needs such as education, occupation, health care, and economic prosperity, plus national stability are more important and desirable to the people than civil and political rights which can only be achieved when economic and social stability are reached. Although there is no evidence to support the argument, many Asian leaders, especially Mahathir, and scholars still believe that economic development will be achieved more efficiently if the leaders restrict political and civil rights for the sake of social stability and economic prosperity.

Mahathir warned that "already those Asian countries which have adopted Western ideas about democracy (political and civil rights) wholesale are finding ruling their country rather difficult. Disruptive strikes and riots undermine the economy and make life difficult for citizens" (Mahathir and Ishihara, 1995: 14). Many Asian leaders (and many Western social scientists) believe that there are social and material preconditions

for democracy and that civil and political rights can be implemented only gradually, accompanying or following socio-economic development, the growth of a middle class and civil society, and the institutionalisation of administrative and political structures and processes. William Overholt (1994), author of *The Rise of China*, wrote that for democracy to be effective, there must be a sequential development of a middle class and administrative structures that can manage pressure groups. Liberalisation needs to be slow enough not to compromise governmental competence and order. He noted by contrast that the "American assumption" is that the total population should get their political rights first, then try to add a little competence to government (Time, 1993: 18, Mauzy, 1996: 227). The fact is that the development of democracy in the West was a long and gradual process.[5] This slow growth of democratic values and practices followed economic development and modernisation. While rejecting a crude theory of "linear" economic or political advance, most Malaysian leaders seem convinced that this was the way the West developed, and that timing and sequence are even more vital for their development. Social stability is a precondition of economic development, and, since Asian states may be more vulnerable to destabilisation than Western states, governments have the duty to restrict certain rights (Fareed, 1994: 109-126, Ghai, 1995: 54-67).

The position that civil and political rights must be contingent on other goals where linked with community interests is often expressed in terms of the "economics first" argument. For instance, this view, which can also be found in John Stuart Mill (1859/1974), is that the entire spectrum of human rights especially free speech can only be enjoyed after a certain level of socio-economic development is reached. Since human dignity is denied by abject poverty, according to this view, the right to development must

be guaranteed first. This argument further holds that, for the attainment of economic development, civil and political rights must be subjected to social order; they may be suspended or severely curtailed in the name of development until the people are supplied with basic food, housing and jobs. Mahathir argued that:

> We want to eradicate poverty in our midst, to educate and provide health care for our people. We are not forgetting human rights but we believe that one of the fundamental human rights is the right to work for a decent living. Political freedom manifested only in the right to vote, to demonstrate, to strike and to be free of oppressive laws without any improvement in the well-being and standard of life of the people becomes quite meaningless. Freedom to be poor is not freedom at all. It is inconsiderate to deprive people of their livelihood because we want them to be free from their allegedly corrupt or oppressive Government. Let them decide their own fate, whether to be free or to be poor or to starve. Their self-appointed partners and saviours should not force their solutions on them. That is not smart. It is not even democratic. (World Youth Foundation, 1999: 166)

This argument is premised on the view that certain civil and political rights, which buttress "democracy" in the universalist or Western liberal views, impede economic growth. Developing countries must, therefore, sideline those rights to which, perhaps not coincidentally, Asian countries seem to bear an antipathy (Li-ann, 1999: 1-86) or the people do not even have the knowledge to use such rights effectively.

CRITICAL ASSESSMENTS OF MAHATHIRISM

Many writers criticise Mahathirism particularly from the argument of "Asian values". For instance, Wan A. Manan (1999: 359-381) thinks that the discourse on "Asian values" by Mahathir is basically a cultural construction aimed at maintaining certain practices that came under threat from globalisation and democratisation. Underlying current global

transformations are forces that tend to generate fundamental changes within society. These include issues relating to human rights, civil society, gender consciousness and democratic reforms. However, the cultural position that advocates the division between the "West" and "East" is misleading because these are not two big permanent static blocks. The dynamic relationships between cultures in the age of global interactions keep them in a constant state of flux. In any case, proponents of "Asian values" are not alone in their cultural claim because Western scholars such as Huntington consider their version of democracy and human rights as the only valid and objective one (Huntington, 1993: 22).

The most disturbing use, or rather abuse, of the cultural argument is that it is often a central plank in the narrative of those governments who actively oppose the application of international human rights standards in their countries in order to buttress their own power. The presumed "tolerance" and "pluralism" of culture seems to underwrite a conservative political agenda: the tolerance and perhaps even maintenance of highly not egalitarian and repressive political systems, while ironically energies are devoted to the "sentimental education" of ruthless and cruel dictators (e.g., Suharto of Indonesia and Marcos of the Philippine) and the predominantly illiterate and subjugated masses of this world. In fact, Mahathir had been accused by political opposition and civil society activists who involve particularly in the *Reformasi* (reform movement) in 1998 and 1999 as a dictator called *Mahafiraun* (the great pharaoh) and *Mahazalim* (the ruthless dictator) because of the way he controlled the three branches of government (the executive, legislative and judiciary) and treated Anwar Ibrahim, his former deputy prime minister, who got sacked from the government, detained under the repressive law of Internal

Security Act (which allows detention without trial), and imprisonment under charges of corruption and sexual misconduct. Cultural relativism or particularism is often "one of the most useful ideologies" in mounting a defence and bringing about international acquiescence in state repression (Wilson, 1997: 9).

The concept of human rights, therefore, relates to the dignity of the human individual. Some critics think that this philosophy is misunderstood by some Asian political leaders, especially Mahathir, who conflate the anti-social behaviour of some individuals in the West with the individualism of the theory of human rights (Fareed, 1994: 111). A common source of this misunderstanding is the relationship between rights and duties. It is said that "Asian" morality is based on duties, while "Western" morality is based on rights (Ghai, 1995: 60). Michael Freeman (1996: 361) argues that this misstates the logic of rights. He explains that John Locke (1689/1993), for example, held that everyone has the duty to respect the life and dignity of others. Rational individuals consent to live under government on condition that it also implements the same duties. Governments that violate the rights of their citizens deserve condemnation as tyrannies. So, similarly, societies that impose imperial rule over other peoples without their consent are guilty of violating the rights of those people. The concept of human rights justifies democracy and condemns tyranny and imperialism.

In any case, there are no grounds for believing that norms originating in one place should be inherently unsuitable for solving problems more generally. Such a belief commits the "genetic fallacy", in that it assumes that a norm is suitable only to the culture of its origin. However, the origin of an idea in one culture does not entail its unsuitability

to another culture. If, for example, there are good reasons for protecting the free speech of Asian people, free speech should be respected, no matter whether the idea of free speech originated in the West or Asia, or how long it has had currency. In fact, Asian countries may have now entered into historical circumstances where the affirmation and protection of free speech is not only possible but also desirable (Xiaorong, 2001: 42-43). Therefore, some of the criticisms of the "Asian values" position carry the further implication that the stress on "Asian culture" is found only at the elite, leadership level. The wider population in Malaysia, Singapore and the other countries of Asia, it seems to be suggested, hold values that are not radically different from those usually associated with liberal democracy (Kahn, 1989: 5-29).

Many critics also argue that strong authority is merely a justification by Asian leaders such as Mahathir of autocratic rule in their own countries. The main problem is that the debate has been led by Asian leaders who do seem to be motivated primarily by political considerations, rather than by a sincere desire to make a constructive contribution to the debate on individualism versus communitarianism. Thus in most cases, it is easy to dismiss the Asian challenge as nothing but a self-serving ploy by government leaders to justify their authoritarian rule in the face of increasing demands for democracy at home and abroad. Advocates of human rights contend that "Asian values" are little more than an excuse for authoritarian government, and for authoritarians to retain power (Mauzy, 1996: 211). Anthony J. Langlois (2001: 13-16) tries to distinguish two ideas here. The first is that Asian values discourse as presented by the state elites of Southeast Asia is demonstrably self-interested and politically motivated. The use of the idea is claimed to be a political ideology that gains legitimacy through a

superficial resonance with the cultural tradition. Second, the view of Asia sustained by Mahathir, his colleagues and his successors, is not the only possible way of conceptualising Asia or the values held by people who live in and identify with region. The authoritarian nature of Mahathir's corruption of Asian values is demonstrated by the nature of the state over which he presides. The government has dominant powers over many aspects of life that Westerners would view as inappropriate. Human rights are all significantly curtailed, much more extensively than in the West.

One of the reasons why liberals value autonomy is because they believe that freedom from coercion is necessary for moral action, while freedom of speech is significant for self-reflection and as a capability. Liberals contend that freedom should come first and anyone whose personal autonomy is permanently replaced by paternalistic authority would be in a perpetual state of childhood and dependence (Freeman, 1996: 360). The democratic value of autonomy offers the hope, which guardianship cannot, that, by participating in their own self-government, the people may learn to act as morally responsible persons concerned for the common good (Hyland, 1995, Dahl, 1989). Some critics think that the position of the family is ambiguous. While the family as a model implies co-operation and a concern for its own collective interest, it may also be seen as a model of patriarchal authority and sits uneasily with the notion of broader communitarian values. It has been argued that societies characterised by strong family structures have tended to produce a condition of amoral familialism that prevents the extension of moral order beyond the family to the broader society (Banfield, 1958, Bock, 1969). Consequently, the strength of the institution of the family can equally be interpreted as an obstacle to social cohesion and co-operation. What appears to be most attractive about the

family in much of the rhetoric of Asian governments including Mahathir's government is its utility in maintaining social discipline and its function as an institution of social welfare, relieving the state of such obligations (Robison, 1996: 311).

Freeman (1996: 355) thinks that the individualism of the West is often over-stated. Western societies constrain individualism by such collectivities as the family, economic enterprise and nation. Yash Ghai (1995: 61) points out that there are strong communitarian traditions in the West, including conservatism, democratic socialism and some forms of liberalism. The doctrine of human rights attributes rights to individuals, but requires that they are protected by appropriate communities. He claims Asian development strategies, based on strong states and participation in global markets, have been very destructive of traditional communities. Such human rights as freedom of association and expression may be necessary to defend threatened communities. Invoking the value of community, therefore, does not clarify the difference between "Asian" and "Western" values. Human rights should be used to protect and serve the communities and individuals as well. However, the deference between Malaysians and Westerners is, Malaysians are strongly rooted in their culture and religion even though they are ruled under the secular political system.[6] This is unlike Western communities which believe strongly in secularism and individualism especially in the US and UK, and religion is relatively secondary in their life, except probably in Scandinavian countries where, according to Anders Uhlin (1999), their populations value communitarianism rather than individualism.

Philosophically, the East and West do reflect different historical and cultural traditions. There is one distinction, besides individualism, that makes agreement on the full range of civil and political rights and liberal democracy difficult (Mauzy, 1996: 218). The distinction is that human rights discourse in the West is associated with, and has a bias towards, resistance to authority that is not found in Asia – which of course, does not imply that there has been no such resistance. It is just that the state is not generally viewed as an adversary of the community without some cause. Many in the West would agree with Mahathir's critique of "Western values" and that his reactions are not uniquely "Asian". Of greater importance is the fact that his objection to liberalism is based fundamentally on the detrimental effect that he perceived this has on the family and on friendship as vehicles of social stability and security.

However, Xiaorong Li (2001: 42-43) also claims that the "Asian values" perspective creates confusions by collapsing "community" into the state and the state into the (current) regime. When equations are drawn between community, the state and the regime, any criticisms of the regime become crimes against the nation-state, the community, and the people. The "Asian values" idea relies on such a conceptual manoeuvre to dismiss individual rights that conflict with the regime's interest, allowing the condemnation of individual rights as anti-communal, destructive of social harmony, and seditionist against the sovereign state. At the same time, this view denies the existence of conflicting interests between the state (understood as a political entity) and communities (understood as voluntary, civil associations) in Asian societies. What begins as an endorsement of the value of community and social harmony ends in an assertion of the supreme status of the regime and its leaders. Such a regime is capable of dissolving

any non-governmental organisations it dislikes in the name of "community interest", often citing traditional values of social harmony to defend restrictions on the right to free speech, and thus wields ever more pervasive control over unorganised dissenters. A communitarian, however, would find that the bleak, homogeneous society that these governments try to shape through draconian practices – criminal prosecutions for "counterrevolutionary activities", administrative detention, censorship, and military curfew – has little in common with her ideal of social harmony. Contrary to the "Asian values" view, individual freedom is not always intrinsically opposed to and destructive of community. There should be a balance between individual and community rights. Free speech and tolerance are vital to the well-being of communities because through open public deliberations, marginalised and vulnerable social groups can voice their concerns and expose the discrimination and unfair treatment they encounter for the common good.

Many political scientists disapprove of these social and economic claims of the "Asian values" perspective brought by Mahathir. Richard Robison (1996: 312) argues that the market sits uneasily in the scheme of things. What differentiates the conservatism of Mahathir from traditional conservatism is its enthusiasm for markets, albeit managed markets in which the state plays a central role. Exactly how the contradiction between the private and the collective interest within this amalgam is to be resolved is unclear. However, it is clear that Mahathir was not prepared to support the free operation of the individual in the marketplace to the extent that social cohesion (discipline, order) is threatened or where the process of economic growth and national competitiveness in the world economy is undermined. Other collective interests which may contravene

investment and growth, such as environmental and resources management, are neglected. A clear theory of the relationship between markets and society is as yet absent.

Advocates of "Asian values" argue that some limitations of human rights especially civil and political rights are necessary for stability in relatively poor societies striving for economic development, which is itself a precondition for a wide range of political goods (Fareed, 1994: 122-3). However, some evidence in liberal states such as India and the Philippines where free speech is essential to protect the right of poor people from discrimination. The contrary view, urged, for example, in the Bangkok Statement of the Asia-Pacific NGOs, is that human rights are interdependent (Tang, 1995: 208). Not only are the rights to subsistence and development compatible with other human rights, but such civil rights as freedom of discussion may contribute to both the efficiency and legitimacy of development programmes (Christie, 1995: 210-12). Advocates of human rights and democracy have traditionally argued that, by encouraging the free involvement of the people in societal decision-making, these principles legitimate collective decisions and thereby help to stabilise society. The relation between human rights and stability is an empirical question, but governments claiming to value human rights should demonstrate that the limitations on human rights that they seek to justify really are necessary to achieve some legitimate goal. Kishore Mahbubani has even claimed that it is economics that is probably the most subversive force in history. If this is so, then economic development rather than human rights threatens traditional values and social stability (Freeman, 1996: 357).

Many agree with the critics of Asian values who argue that certain civil and political rights actually promote economic development. For example, the right to free speech is needed so that citizens can criticise misconceived economic policies, denounce government corruption, or call for the equitable distribution of the benefits of economic development. While the relationship between civil and political rights and development is indeterminate and merits closer examination, the "economics first" argument does draw attention to a valid point that government priorities differ depending on the stage of a country's economic development (Li-ann, 1999: 1-86).

In reality, the problem that Malaysia has during Mahathir's rule was the style of governance and policies that affect the condition of freedom of speech. For instance, Musa Hitam (2001), former chairman of Malaysian Human Rights Commission, uses a scale to measure the overall condition of human rights in Malaysia during Mahathir's leadership (see Table 1) for the purpose of understanding the style of governance and national policies.[7] In his view, although it went through a major economic crisis in 1997, the Malaysian economy is still in good shape and the immigrants from Indonesia and Bangladesh are coming to Malaysia seeking jobs. Similarly on social issues, Musa thinks that Malaysia has a good record of protecting women, children, and disabled group rights. Furthermore, the government also ensures that people have the rights to education, housing and health (Harun, 2001: 3). Musa uses the word "fair" to describe the cultural, even the religious, conditions where there is still toleration and understanding between different races, cultures and religions in Malaysia, however, full attention and effort is needed to make sure good relations between races are maintained. On the other hand, Musa classifies the political situation in Malaysia as "very difficult" because political

freedom and civil liberties are limited. Political issues in Malaysia, especially those that affect the relations between races, are often emotional and sometimes the government has to take aggressive action to counter street demonstration and political opposition.

TABLE 1
Human Rights Scale in Malaysia

Sector	Valuation
Economy	Very Good
Social	Good
Cultural	Fair
Politics	Very Difficult

Sources: (Harun, 2001: 3, Musa, 2001).

The Malaysian government under Mahathir's leadership, normally, pursues state development through "top-down" policies (Ishak, 1996: 228, Musa, 2001). Popular views are often excluded in the policy-making process, especially when the government has a great interest in the projects. Mahathir had been a builder, but some of his constructions were designed not to be serviceable or to meet economic needs, but to impress, or even embody some aesthetic aspirations. Milne dan Mauzy (1999: 67-68) observes that some of the mega projects such as Kuala Lumpur City Centre (KLCC), Kuala Lumpur International Airport (KLIA), Putrajaya and Multimedia Super Corridor (MSC) were intended to astonish, rather than to be practical or utilitarian – that was meant to be the essence of their beauty. However, Mahathir argues that these projects are needed for the people to progress and move towards Malaysia's vision of a fully developed state by 2020. In April 1997, Mahathir announced that the MSC project was his number one priority for the country (News Straits Times, 1997: 1). Conversely, Malaysians demanded more development projects such as bridges, water infrastructure, electricity and housing

in suburban and rural areas especially in East Peninsular (Kelantan and Terengganu) and East Malaysia (Sabah and Sarawak) (Milne and Mauzy, 1999: 79).

This "top-down" state management has caused serious problems in terms of political rights and freedom of speech because people cannot have much influence on government decisions on development and economic policies. As a response to the criticism on his policies, hence, civil and political rights has become a victim to the call for social and economic rights. Civil and political rights should essentially be utilised to defend people's interest on sustainable development and planning to meet basic needs.

CONCLUSION

It is clear that Mahathirism or Mahathir's view about human rights is totally aligned with the theory and philosophy of cultural relativism. Malaysia definitely believed that Malaysian cultural tradition and political realities should be distant from the influence of universalism or Western liberalism. The Malaysian restrictions are defended in terms of "Asian values" with the strong influences of Malay-Islamic values (plus also Confucianism), which set them far apart from "Western liberal-universalist values", in terms of the role they play in society and how the state has responded to them. In cultural terms, the Mahathir's argument of Asian values is not a single proposition, rather a collection of reactions and related arguments against universalism or the Western individualism. People's behaviour is encouraged to be motivated not by concerns of individual rights but by duties and responsibilities. The Asian values thesis is an approach which suggests that it is only through an orderly society which curtails the excesses of

individualism that all members of the community can live safe and fulfilled lives. The government must secure such an environment by curtailing individual freedoms and striking a balance between civil liberties and social stability. Critics obviously dispute the Mahathir's purported intention in restricting human rights, arguing that his real intention was to exploit these issues as a justification for curtailing opposition and reinforcing his position in power. There is much evidence to support this interpretation. However, no one could reasonably deny that, indeed, Malaysia has to face the challenging issue of race relations where the government needs to keep a watchful eye on certain rights such as obscenity and hate speech that may inflame hostility between races.

From a theoretical point of view, it must be conceded that Mahathirism had not provided much of a challenge to dominant Western political outlooks. There are a number criticisms, for instance, that Mahathirism is a cover for an ideological contest of universalism and cultural relativism. Mahathir is typical of Asian critics of Western values. Hence, Mahathirism is unquestionably a type of cultural relativism. In sum and also to prove that is the case, Mahathir once said that "the West tells us that democratic freedom and human rights are fundamental for the achievement of economic and social development. We...never disputed that democracy for the people and opportunity for the individual to develop his or her own greatest potentials are indeed important principles. We disagree, however, that democracy has only one definition or that political systems qualify as democratic only when they measure up to certain particular yard-stick. Similarly, the norms and precepts for the observance of human rights vary from society to society and from one period to another within the same society" (World Youth Foundation 1999: 35).

NOTES

[1] Chandra Muzaffar, the founder of Just World Trust, argues that colonialism was the most massive and systematic violation of human rights ever known in history. Now, he contends, the goal of the West, using human rights or whatever means, is to maintain dominance of an unjust, unequal global system (Mauzy, 1996: 223).

[2] The state has labelled advocacy-oriented NGOs together with the organised Left, dissident student movements, labour groups, and opposition political parties an 'internal Other' against whom society must struggle to remain peaceful, unified, and secure. Before, NGOs and other dissident groups were labelled 'communist', now they are lambasted as 'Western' or 'non-national'. For instance, former Federal Territory Minister Abu Hassan Omar declared in December 1986 that seven groups – two opposition parties and five NGOs – were out to destroy 'the country's political and social fabric' (Tan and Singh, 1994: 24). Thus, the role of this group in politics is so essential to make sure the smoothness of democratic system in Malaysia, credibility of the judiciary, effectiveness of the police institution and media. The political organisation is likely to see as the group that will maintain the effectiveness and efficiency of all those political institutions for the public good, although they probably will face a risk of government's sanctions.

[3] The year 2003 heralded a new era for Malaysia, as the 22 year rule of Mahathir came to an end in October. His deputy successor, Abdullah Ahmad Badawi, became Malaysia's fifth prime minister. Those concerned about human rights in Malaysia expressed hope that the change in leadership would signal a change in the attitudes towards and respect for democracy and human rights in the country (SUARAM, 2004: 21).

[4] Mahathir criticises the concept of family in the West. He argues that:

> I believe that a lifestyle rooted in family and friends is the key. I have had occasion to discuss the family at length with Westerners. Many say two men living together is a family, two women living together is a family, an unmarried woman and her child are a family. To Asians those are not families. A family exists when a man and a woman are joined in marriage and have children. The Western redefinition of the family is totally unacceptable. (Mahathir and Ishihara, 1995: 85)

[5] Although US can be considered as the father of democracy, it extended civil and political rights rather slow and it gave black people the right to vote only in 1960s.

[6] Anwar (1996: 2), for instance, who has continued to speak of a Western/Asian dichotomy, noting in particular that, unlike the Westerner, "the Asian man is a *persona religiosus*. Faith and religious practice...permeates the life of the community".

[7] These evaluations of human rights condition in Malaysia was based on the observation and research done by Malaysian Human Rights Commission in 2001 for the annual report of human rights in year 2002. However, there is no information about how the observation and research had been conducted by the Commission.

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